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Press Release: 3 December 2024

ICC and Poland conclude Agreement on the Enforcement of Sentences



ICC President Judge Tomoko Akane and Undersecretary of State in the Ministry of Justice of the Republic of Poland, Ms Maria Ejchart, signing an Agreement on the Enforcement of Sentences on 3 December 2024 ©ICC-CPI

On 3 December 2024, the International Criminal Court ("ICC" or "Court") and the Government of the Republic of Poland have concluded an Agreement on the Enforcement of Sentences.

The President of the Court, Judge Tomoko Akane, and Ms Maria Ejchart, Undersecretary of

State in the Ministry of Justice of the Republic of Poland, signed the agreement during a plenary session at the twenty-third meeting of the Court's Assembly of States Parties in The Hague. Under the agreement, persons convicted by the ICC may serve sentences of imprisonment in Poland if so decided by the Court and accepted by the Government of Poland.

Emphasising that the enforcement of sentences is a crucial element of a well-functioning and complete criminal justice system, President Tomoko Akane thanked Poland for its unwavering support and stated: "Through today's signature of an enforcement agreement with the Court, Poland demonstrates once more its strong commitment to international criminal justice and to enabling the proper functioning of the Court in all its aspects. Such voluntary cooperation is all the more important in challenging times and as we see more cases reaching the enforcement stage." She also expressed hope that other States Parties will follow the example of Poland and show their support to the work of the Court by signing an agreement on the enforcement of sentences.

Undersecretary of State Maria Ejchart said that: "We do want the conclusion of this agreement to indicate that the Republic of Poland fulfills its international obligations, particularly in the area of prosecuting and punishing international crimes. Let it also be tangible proof of the steadfast support of Poland extended to the Court and the Rome Statute system. By entering into this agreement, Poland demonstrates its unwavering commitment to ensuring the proper functioning of the Court."

The Rome Statute, the Court's founding treaty, provides that sentences of imprisonment imposed by the ICC "shall be served in a State designated by the Court from a list of States which have indicated to the Court their willingness to accept sentenced persons".

Similar agreements on the enforcement of sentences are currently in force between the ICC and Argentina, Austria, Belgium, Colombia, Denmark, Finland, France, Georgia, Mali, Norway, Serbia, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland.

For further information, please contact Fadi El Abdallah, Spokesperson and Head of Public Affairs Unit, International Criminal Court, by telephone at: +31 (0)70 515-9152 or +31 (0)6 46448938 or by e-mail at: fadi.el-abdallah@icc-cpi.int

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EU Criticizes Poland's Decision to Ignore ICC Arrest Warrant for Netanyahu

Friday, 10 January 2025 18:14



The European Union has responded strongly to Poland's controversial decision to disregard the International Criminal Court's (ICC) arrest warrant for Israeli Prime Minister Benjamin Netanyahu.

[Iran Press/Europe](#): Anwar Al-Aouni, senior spokesperson for the EU, stated during a press conference in Brussels on Friday: "The European Union supports the International Criminal Court and the principles enshrined in the Rome Statute. We respect the independence and impartiality of this court."

He added: "All EU member states, as signatories to the Rome Statute, are committed to full cooperation with the ICC, including the enforcement of arrest warrants issued by the court."

Al-Aouni clarified that it is not the European Commission's

responsibility to enforce ICC rulings; this obligation lies with individual member states.



Meanwhile, the Polish government announced that it would not execute the ICC arrest warrant for Netanyahu if he visits Poland. Reports suggest that Poland seeks to strengthen relations with Israel, and its refusal to enforce the ICC ruling is seen as a step toward achieving this goal.

The ICC issued an arrest warrant in November last year for Israeli Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant, accusing them of war crimes and crimes against humanity during the extensive attacks on Gaza.

Under the Rome Statute, all countries that are party to the treaty are required to cooperate with the court and enforce its rulings. As a signatory, Poland is legally obligated to execute Netanyahu's arrest warrant.

However, the Polish Prime Minister announced that Israeli officials could visit the country for the 80th anniversary of the liberation of the Auschwitz concentration camp without fear of arrest. This decision has sparked widespread criticism from political and human rights circles. Human rights organizations have emphasized that such actions undermine international justice systems and could increase impunity for individuals accused of war crimes.

In recent years, Poland has faced significant tensions with the EU over violations of the rule of law, judicial independence, and human rights. European institutions have repeatedly accused Poland of failing to meet its international commitments.

Observers warn that if Poland persists in its decision to disregard the ICC arrest warrant for Netanyahu, it could face political and legal consequences in its relations with Brussels.

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